THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition (S/S) No. 1107 of 2006.

Pan Singh Bisht, Son of late Sri Jasod Singh,
Resident of village Pokhri Post Office Bhatkhola, Tehsil and District Almora.

… Petitioner.

Vs.

1. State of Uttaranchal through Secretary Irrigation Department, Dehradun.
2. Chief Engineer/Head of the Department (Karmik) Irrigation Department, State of Uttaranchal, Dehradun.
3. Executive Engineer Kumaon Irrigation Division, Almora.

…Respondents.

Sri Dinesh Chauhan, learned counsel for the petitioner.
Sri Paresh Tripathi, Learned Counsel for the respondents.

Date August 14, 2006

P.C.: Hon'ble B.S. Verma, J.

Heard learned counsel for both the parties and perused the record.

By means of this writ petition, the petitioner has sought a writ, order or direction in the nature of mandamus directing the respondent nos. 1 to 3 to modify the appointment letter dated 1.4.2006 passed by the respondent no.3 and appoint the petitioner in any technical grade, i.e. on the post of Pump Operator/Electrician in place of Work Andaj.

The only grievance of the petitioner is that as he had been appointed under the Dying in Harness Rules owing to death of his father, the petitioner ought to have been appointed in class III cadre post instead of Class IV employee considering the educational qualification of the petitioner.

In the course of arguments, the learned counsel for the petitioner confined his prayer to the extent that a direction may be issued to the respondent to decide the representation made by the petitioner to the respondent no.3 within time bound period. The prayer is innocuous.

The respondent no.3-Executive Engineer Kumaon Irrigation Division Almora is directed to decide the representation dated 31.7.2006 made by the petitioner (*Annexure No.3 to the writ petition*) within a period of eight weeks in accordance with law from the date of production of certified copy of this order.

With the aforesaid direction, the writ petition is disposed of finally.

(B.S. Verma,J.)

RCP